



**CHAPTER 13 PLAN SUMMARY**

The Debtor proposes an initial plan, which is subject to modification, as follows:

**I. Plan Payments**

The plan proposes a payment of **\$665.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

**II. Administrative Costs****1. Attorney fees.**

- ☒ The attorney for the Debtor will be paid the base fee of \$4,500.00. The Attorney has received \$0.00 from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

**2. Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

**1. Domestic Support Obligations ("DSO")**

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

**2. Other priority claims to be paid by Trustee**

Creditor	Estimated Priority Claim
<b>Alamance Co. Tax Coll.</b>	<b>\$0.00</b>
<b>Internal Revenue Service</b>	<b>\$0.00</b>
<b>N.C. Department of Revenue</b>	<b>\$0.00</b>

**IV. Secured Claims****1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
<b>Capital Bank</b>	<b>1524 Birchwood Drive Burlington, NC 27217 Alamance County House and 1.01 acres located at 1524 Birchwood Drive, Burlington, North Carolina 27217</b>	<b>R</b>	<b>Y</b>	<b>\$700.00</b>	<b>\$0.00</b>	<b>D</b>
<b>Ditech</b>	<b>1524 Birchwood Drive Burlington, NC 27217 Alamance County House and 1.01 acres located at 1524 Birchwood Drive, Burlington, North Carolina 27217</b>	<b>R</b>	<b>Y</b>	<b>\$1,256.00</b>	<b>\$0.00</b>	<b>D</b>

**2. Personal Property Secured Claims**a. ☒ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

*To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).*

**3. Collateral to be Released**

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
<b>Bank of America, N.A.</b>	<b>2013 Dutchman Voltage 5th Wheel Camper- to be surrendered</b>
<b>Community One Bank</b>	<b>403 Oakhurst St. Gibsonville, NC 27249 Alamance County House and lot located at 403 Oakhurst Street, Gibsonville, Alamance County, North Carolina- used as rental property, to be surrendered</b>

**4. Liens to be Avoided**

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
<b>-NONE-</b>	

**V. Co-Debtor Claims**

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
<b>-NONE-</b>			

**VI. General Unsecured Claims Not Separately Classified**

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 20 %.

**VII. Executory Contracts/Leases**

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
<b>-NONE-</b>						

**VIII. Special Provisions**

- a. ☒ None
- b. Other classes of unsecured claims and treatment

c. Other Special Terms

Date: **August 2, 2016**

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**/s/ Sherri L. Hamlett**

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**Sherri L. Hamlett 44425**

Attorney for the Debtor

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Burlington, NC 27216**

Telephone: **336-229-4466**

State Bar No. **44425**

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

In Re:

Jimmy Glenn Russell  
Susan Tickle Russell

SS# xxx-xx-5360

SS# xxx-xx-4974

Debtor(s)

NOTICE TO CREDITORS  
AND  
PROPOSED PLAN

Case No. \_\_\_\_\_

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Reid Wilcox  
Clerk of Court  
U.S. Bankruptcy Court  
Middle District of North Carolina  
P.O. Box 26100  
Greensboro, NC 27402

Anita Jo Kinlaw Troxler  
Chapter 13 Trustee  
Greensboro Division  
Post Office Box 1720  
Greensboro, NC 27402-1720

Alamance Co. Tax Coll.  
Attn: Officer/Managing Agent  
124 W. Elm St.  
Graham, NC 27253

Alamance Reg. Med. Center  
Attn: Officer/Managing Agent  
P.O. Box 204  
Burlington, NC 27216

Bank of America, N.A.  
Attn: Officer/Managing Agent  
150 N. College Street  
NC1-028-17-06  
Charlotte, NC 28255

Barclays Bank Delaware  
Attn: Officer/Managing Agent  
P.O. Box 13337  
Philadelphia, PA 19101

Capital Bank  
Attn: Officer/Managing Agent  
445 S. Main St.  
Burlington, NC 27215

Community One Bank  
Attn: Officer/Managing Agent  
P.O. Box 1328  
Asheboro, NC 27204

Community One Bank, na  
Attn: Officer/Managing Agent  
101 Sunset Ave.  
Asheboro, NC 27203

Credit Bureau  
P.O. Box 26140

**Greensboro, NC 27402**

**Ditech**

**Attn: Officer/Managing Agent**

**P.O. Box 6172**

**Rapid City, SD 57709-6172**

**Employment Security Commission**

**P.O. Box 26504**

**Raleigh, NC 27611**

**Internal Revenue Service**

**Centralized Insolvency Oper.**

**P.O. Box 7346**

**Philadelphia, PA 19101-7346**

**N.C. Department of Revenue**

**P.O. Box 1168**

**Raleigh, NC 27611**

**Synchrony Bank/Lowe's**

**Attn: Bankruptcy Dept.**

**P.O. Box 965060**

**Orlando, FL 32896**

Date: August 2, 2016

/s/ Sherri L. Hamlett

Sherri L. Hamlett 44425